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IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5468 of 1999

For Approval and Signature:

HON'BLE MR.JUSTICE K.S.JHAVERI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

SAGAR EDUCATION TRUST THRO' MANAGING TRUSTEE

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 5468 of 1999

MS SEJAL K MANDAVIA for Petitioner No. 1

MS MANISHA SHAH A.G.P. for Respondent No. 1

RULE SERVED for Respondent No. 2

CORAM : HON'BLE MR.JUSTICE K.S.JHAVERI

Date of decision: 17/12/2004

ORAL JUDGEMENT

1. The petitioner has by way of this petition prayed for cancelling the permission given by respondent no. 1

to respondent no. 2 for starting primary school in Vijapur Taluka.

2. I have heard the learned advocates for the respective parties and have perused the relevant record. Ms. Shah learned A.G.P. upon instructions from Mr. Garasiya, Deputy Secretary states that in view of the grant of registration, all the schools are functioning well and they have been given recognition as per the needs of the area and, therefore, the petitioner trust is not adversely affected in any manner, whatsoever, by granting recognition to other schools.

3. In that view of the matter, the prayers which are claimed in the petition cannot be granted at this stage. However, if the petitioner trust is adversely affected by such recognition, it will be open for the petitioner to file appropriate proceedings before the appropriate authority.

With the above observations and directions, the petition stands disposed of. Rule is discharged with no order as to costs. Interim relief if any, stands vacated.

[K.S. JHAVERI, J.]

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